

APPEAL NO. 042118
FILED OCTOBER 13, 2004

This appeal arises pursuant to the Texas Workers' Compensation Act, TEX. LAB. CODE ANN. § 401.001 *et seq.* (1989 Act). A contested case hearing was held on July 29, 2004. The hearing officer determined that appellant (claimant) is not entitled to supplemental income benefits (SIBs) for the first and second quarters. Claimant appealed the determinations regarding good faith and SIBs entitlement on sufficiency grounds. Respondent (carrier) responded that the hearing officer did not err in making his determinations.

DECISION

We affirm.

Claimant contends the hearing officer erred in stating that claimant displayed no discomfort in the first hour and forty minutes at the hearing. Claimant contends that he took a break at the hearing after a certain point and that this fact was not noted by the hearing officer. However, the fact remains that claimant was required to provide a narrative report from a doctor that specifically explained how the injury caused a total inability to work. The hearing officer determined that there was no adequate narrative in this case. For that reason, claimant is not entitled to SIBs.

Claimant complains of errors made when the Texas Workers' Compensation Commission official actions officer made the initial determination regarding the dates of the quarter and SIBs entitlement for the first quarter. We have reviewed claimant's complaints and we conclude that reversible error has not been shown by the record.

We have reviewed the complained-of determinations and conclude that the issues involved fact questions for the hearing officer. The hearing officer reviewed the record and decided what facts were established. We conclude that the hearing officer's determinations are supported by the record and are not so against the great weight and preponderance of the evidence as to be clearly wrong or manifestly unjust. Cain v. Bain, 709 S.W.2d 175, 176 (Tex. 1986).

We affirm the hearing officer's decision and order.

According to information provided by carrier, the true corporate name of the insurance carrier is **ZURICH AMERICAN INSURANCE COMPANY** and the name and address of its registered agent for service of process is

**LEE F. MALO
12222 MERIT DRIVE, SUITE 700
DALLAS, TEXAS 75251.**

Judy L. S. Barnes
Appeals Judge

CONCUR:

Daniel R. Barry
Appeals Judge

Gary L. Kilgore
Appeals Judge